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MAR 18 2005 MAR 18 2005

~~OFFICE OF PETITIONS~~ OFFICE OF PETITIONS

In re Application of
Abrahams and Gragossian
Application No. 10/805,170
Filed: March 19, 2004
Attorney Docket No. 81101/7114
For: A SYSTEM FOR UBIQUITOUS NETWORK
PRESENCE AND ACCESS WITHOUT COOKIES

: DECISION ACCORDING
: STATUS UNDER
: 37 CFR 1.47(b)

This is in response to the reconsideration petition under 37 CFR 1.47(b), filed January 28, 2005.

The petition is granted.

Petitioner has shown that the non-signing inventors, Marc D. Abrahams and Seda Gragossian, have expressly or constructively refused to join in the filing of the above-identified application. Specifically, Carrie Merzbacher, Patent Administrator for Sony, explains that Mr. Abrahams orally refused to execute the declaration for patent application. Nola Hines, employee of a law firm affiliated with the attorneys of record, explains that she mailed two copies of the application papers and declaration and assignment to Mr. Abrahams and that Mr. Abrahams refused to accept both mailings. Barbara Zamorano, employee of a law firm affiliated with the attorneys of record, explains that she twice successfully mailed a copy of the application and declaration and assignment to Mr. Gragossian, but Mr. Gragossian did not reply to requests that he return an executed declaration and assignment.

In addition, petitioner has shown that Sony Electronics, Inc. (Sony) has a proprietary interest in the above-identified application with a copy of Employee Patent and Confidential Information Agreements between Sony and non-signing inventors Marc D. Abrahams and Seda Gragossian that shows the inventors had a duty to assign rights in the invention to Sony. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2100 for examination in due course.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.



E. Shirene Willis
Senior Petitions Attorney
Office of Petitions



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MARC DAVID ABRAHAMS
17388 GARNEE PLACE
SAN DIEGO, CA 92128

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LETTER **COPY MAILED**
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Dear Mr. Abrahams:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis

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Senior Petitions Attorney
Office of Petitions

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829 VAL SERENO DRIVE
ENCINITAS, CA 92024

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LETTER **COPY MAILED**
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Dear Mr. Gragossian:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventor.

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